



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

STRACHAN Atty. Ref.: 3714-3; Confirmation No. 9802

Appl. No. 10/051,139 TC/A.U. 3629

Filed: January 22, 2002 Examiner: M. FISHER

For: PICK POOLS SYSTEM AND METHOD USING PACKET-SWITCHED NETWORK

* * * * *

May 11, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE
TO RECEIVE OFFICE ACTION**

Applicant hereby petitions the USPTO to withdraw the Holding of Abandonment based on the failure of applicant to receive the Office Action dated October 11, 2006. See MPEP §711.03(c)I(A).

The Notice of Abandonment dated May 4, 2007 indicates that the instant application was abandoned because a Response was not filed in response to the Office Action *allegedly* mailed October 11, 2006. Upon receiving the Notice of Abandonment dated May 4, 2007, a review of the USPTO's PAIR system indicated that a Non-Final Rejection was allegedly mailed October 11, 2006. However, the applicant (including the undersigned) never received the Office Action dated October 11, 2006.

STRACHAN
Appl. No. 10/051,139
May 11, 2007

The applicant (including the undersigned) has searched the file jacket and docket records relating to the instant application, and both indicate that the Office Action dated October 11, 2006 was not received by applicant. A copy of the relevant docket record relating to this case is attached hereto, evidencing that the Office Action dated October 11, 2006 was not received by applicant. The attached docket sheet, last updated December 28, 2006, does not indicate any Office Action having been received, and instead indicates a Call-Up to be done on June 28, 2007 to see if an Office Action has been received. Thus, the attached docket sheets clearly indicates that the Office Action dated October 11, 2006 was not received by applicant.

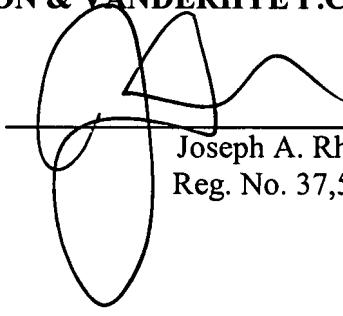
In view of the above, it is respectfully requested that the Notice of Abandonment dated May 4, 2007 be withdrawn, and that a new Office Action be mailed to applicant.

It is believed that no fee is necessary. Please advise if there should be any questions.

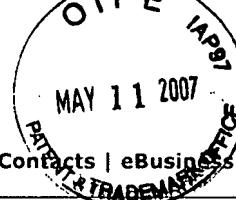
Respectfully submitted,

NIXON & VANDERHYE P.C.

By:


Joseph A. Rhoa
Reg. No. 37,515

JAR:caj
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

**Patent eBusiness**

- [+ Electronic Filing](#)
- [+ Patent Application Information \(PAIR\)](#)
- [+ Patent Ownership](#)
- [+ Fees](#)
- [+ Supplemental Resources & Support](#)

Patent Information

- [Patent Guidance and General Info](#)
- [+ Codes, Rules & Manuals](#)
- [+ Employee & Office Directories](#)
- [+ Resources & Public Notices](#)

Patent Searches

- [Patent Official Gazette](#)
- [+ Search Patents & Applications](#)
- [+ Search Biological Sequences](#)
- [+ Copies, Products & Services](#)

Other

- [Copyrights](#)
- [Trademarks](#)
- [Policy & Law](#)
- [Reports](#)

Patent Application Information Retrieval

[Order Certified Application As Filed](#) [Order Certified File Wrapper](#) [View Order List](#)

10/051,139

Pick pools system and method using packet-switched network

Select New Case	Application Data	Transaction History	Image File Wrapper	Continuity Data	Published Documents	Address & Attorney/Agent
-----------------	------------------	---------------------	--------------------	-----------------	---------------------	--------------------------

Transaction History**Date** **Transaction Description**

- 05-04-2007 Mail Abandonment for Failure to Respond to Office Action
- 04-30-2007 Abandonment for Failure to Respond to Office Action
- 10-11-2006 Mail Non-Final Rejection
- 10-02-2006 Non-Final Rejection
- 01-22-2002 Information Disclosure Statement considered
- 02-16-2006 Case Docketed to Examiner in GAU
- 12-16-2005 Case Docketed to Examiner in GAU
- 10-04-2005 Case Docketed to Examiner in GAU
- 10-29-2004 Miscellaneous Incoming Letter
- 03-21-2005 IFW TSS Processing by Tech Center Complete
- 01-26-2005 Case Docketed to Examiner in GAU
- 09-22-2004 Case Docketed to Examiner in GAU
- 03-11-2002 Case Docketed to Examiner in GAU
- 01-22-2002 Preliminary Amendment
- 01-22-2002 Information Disclosure Statement (IDS) Filed
- 02-20-2002 Case Docketed to Examiner in GAU
- 02-11-2002 Application Dispatched from OIPE
- 02-08-2002 Application Is Now Complete
- 01-31-2002 IFW Scan & PACR Auto Security Review
- 01-22-2002 Initial Exam Team nn

If you need help:

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail EBG@uspto.gov for specific questions about Patent Application Information Retrieval (PAIR).
- Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).
- If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.

You can suggest USPTO webpages or material you would like featured on this section by E-mail to the webmaster@uspto.gov. While we cannot promise to accommodate all requests, your suggestions will be considered and may lead to other improvements on the website.

PCMaster v3.03.01 - Master Data Center - [Patent]

File Edit Records Utilities Tools Help

Docket Number: 3714-0003 Attorney: Joseph A. Rhos

Country: United States Attorney #2:

Case Type: Utility Appln. Attorney #3:

Relation Type: Continuation Client Name: Richard B. Strachan

Filing Type: Non-PCT Assignee/Applicant:

Client Reference No:

PICK POOLS SYSTEM AND METHOD USING PACKET-SWITCHED NETWORK

Inventors	PCT Publication No.	Related Cases	Title	Comus Related Case Info
Filing Data	CustomerNo/Product/Assoc.	R/F/Pn/Doc/Con US/Con For	Actions/Due Dates	Misc/MGM/Trans/Abn/Comus#
Action	Mail Date/Due Date	Rolled Date	Completed Date	Action Notes
IDS Filed?	4/22/2002		1/22/2002	
Filing Receipt Rec'd?	7/22/2002		2/8/2002	
Office Action Received?	6/28/2007			
IDS Filed				
Filing Receipt (ORF)				
1st Action Mail Date				
*				

Created: 1/22/2002 | Updated: 12/28/2006 11:37 AM | By: BAG

start Novell GroupWise ... PCMaster v3.03.0... Document1 - Micro... 2:18 PM Monday 5/7/2007

O&G 4017-19 10/893,491 Resp Due 6 mo (F) ✓ 3/12/07
 SCS 550-592 10/889,318 Resp Due 6 mo (F) 12-11-06
 SCS 550-612 11/004,229 Resp Due 6 mo (F) 1-11-07
 O&G 4865-77 11/175,356 Response to mo (F) ✓ 3/9/07
 HWB 24106-130 10/508,991 Resp Due 6 mo (F) 2/11/06
 LCM 3052-50 10/525,955 1mo Resp ST (F) 10-11-06
 HWB 40021-30 09/948,101 6 mo Resp FR (F) And filed 9/15/06
 HWB 40009-30 09/948,101 6 mo NTC App (F) Shallow Sub 10/15/06
 JRL 2380-956 10/537,786 6 mo Resp (F) ✓ 12-12-06
 PTB 4398-237 10/433,986 6 mo Resp (F) ✓ 3/12-07
 MNL 2018-756 10/627,688 6 mo FR Resp (F) 1-4-2007
 MNL 2018-756 10/627,688 6 mo NTC App (F) W/d per o/c 1/18/07
 JRC 2380-784 10/700,5715 6 mo Resp (F) DROP per CLT.
 HWB 914-170 10/687,620 6 mo FR Resp (F) 1/10/07 filed
 HWB 914-170 10/687,620 6 mo NTC App (F) 3/6/07
 LTN 36-1761 10/468,779 6 mo Resp (F) 12-12-06
 WFG 4753-4 11/321,090 6 mo Resp (F) 12-11-06
 BJS 1093-7 10/508,313 6 mo Resp (F) ✓ 3/12-07
 O&FET 4380-167 11/040,221 6 mo Resp FR (F) NAF filed 3/12
 O&FET 4380-167 11/040,221 (6 mo NTC App (F)) NAF filed 3/12
 ?DFB 141-436 79/014,570 6 mo TM FR not to be filed
 ?DFB 141-436 79/014,570 6 mo TM NTC App not to be filed
 DFB 141-318 10/1028,522 6 mo TM Resp 11/13/06
 HWB 40001-30 9/948,101 6 mo NTC App (F) NOA RECD 10/13/06
 DM5 4112-7 10/617,132 6 mo Resp 1-11-07
 JHN 4960-2 11/300,642 6 mo Resp 1-11-2007
 CC 36-1518 10/019,012 Issue/Pub Fee 3/5/07
 CC 36-1518 10/019,012 Drawings Due DDCI
 LSN 36-1540 10/110,930 Issue Fee 3/7/07
 LSN 36-1540 10/110,930 Drawings Due DDCI
 WCN 723-1574 10/953,436 Issue/Pub Fee 12/21/06
 WCN 723-1574 10/953,436 Drawings Due DDCI
 JRL 4011-8 10/491,187 Issue/Pub Fee 3-1-07
 JRL 4011-8 10/491,187 Drawings Due DDCI
 MTS 1035-614 11/292,357 Issue/Pub Fee 1-24-07
 MTS 1035-614 11/292,357 Drawings Due DDCI
 HWB 1035-582 10/589,057 Issue/Pub Fee 3/20/07
 HWB 1035-582 10/589,057 Drawings Due not due DDCI
 SCS 124-1145 10/528,016 Issue/Pub Fee 2/27/07
 SCS 124-1145 10/528,016 Drawings Due DDCI
 JRL 550-520 10/775,334 Issue/Pub Fee 3/6/07
 JRL 550-520 10/775,334 Drawings Due DDCI
 JRL 4147-112 10/530,474 Issue/Pub Fee 3-10-07
 JRL 4147-112 10/530,474 Drawings Due DDCI
 BJS 1090-102 10/501,474 Issue/Pub Fee 3/6/07
 BJS 1090-102 10/501,474 Drawings Due DDCI
 JHN P-112,011 Response Due to Petition Denied (not in Pem) 3/5/07

MARCH 11, 2007

